

REMARKS

Applicant has reviewed and considered the Office Action mailed on December 5, 2007, and the references cited therewith.

Claims 6, 8, 13, 1419, 20, and 24 are amended, claims 1-5, 9, 10, and 25 are canceled, and no claims are added; as a result, claims 6, 8, 11-24, and 26 are now pending in this application.

35 USC §102 Rejection of the Claims

Claims 1-5 were rejected under 35 USC § 102(e) as being anticipated by Thomson et al (U.S. 2005/0073980). Claims 1-5 have been canceled.

Claims 14-23 were rejected under 35 USC § 102(e) as being anticipated by Backes et al (U.S. 7215973). Independent claims 14 and 20 have been amended to recite additional limitations. Among the additional limitations, claims 14 and 20 recite “estimating a sensitivity of the associated station”. Support for this limitation can be found on page 8 of the application as filed. Applicants respectfully submit that Backes does not teach “estimating a sensitivity of the associated station” as recited in claims 14 and 20. Accordingly, applicants respectfully submit that claims 14 and 20 are now in condition for allowance. Claims 15-19 and 21-24 recite additional limitations and are believed to be in condition for allowance at least by virtue of dependency.

35 USC §103 Rejection of the Claims

Claims 6, 8-13 were rejected under 35 USC § 103(a) as being unpatentable over Thomson in view of Choi et al. (U.S. 6978151). Claim 6 has been amended to include additional limitations. Claim 6 as amended recites “determining a path loss as the difference between the remote transmit power and the received signal strength”. Applicants respectfully submit that the cited references, taken alone or in combination, fail to disclose, teach or suggest “determining a path loss as the difference between the remote transmit power and the received signal strength” as recited in claim 6 as amended. Accordingly, applicants believe claim 6 is in condition for

allowance. Claims 8 and 11-13 recite additional limitations and are believed to be in condition for allowance at least by virtue of dependency.

Claims 24-26 were rejected under 35 USC § 103(a) as being unpatentable over Choi et al. (U.S. 6978151) in view of Thomson. Claim 24 has been amended to include additional limitations. Claim 24 as amended recites “a processing apparatus ... to receive link margin values from associated stations [and] to determine a reduced output power from the link margin values”. Applicants respectfully submit that the cited references, taken alone or in combination, fail to disclose, teach or suggest “a processing apparatus ... to receive link margin values from associated stations [and] to determine a reduced output power from the link margin values” as recited in claim 24 as amended. Accordingly, applicants believe claim 24 is in condition for allowance. Claim 26 recites additional limitations and is believed to be in condition for allowance at least by virtue of dependency.

Reservation of Rights

Applicants do not admit that references cited under 35 USC §§ 102(a), 102(e), 103/102(a), or 103/102(e) are prior art, and reserve the right to swear behind them at a later date. Arguments presented to distinguish such references should not be construed as admissions that the references are prior art.

Conclusion

Applicants respectfully submit that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney (952-473-8800) to facilitate prosecution of this application.

Respectfully submitted,

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By their Representatives,

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Date 3/5/08

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